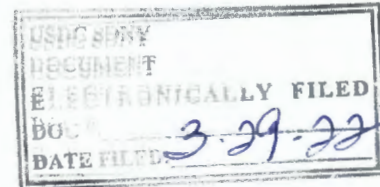


EXECUTION COPY



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re

CUSTOMS AND TAX ADMINISTRATION OF THE  
KINGDOM OF DENMARK  
(SKATTEFORVALTNINGEN) TAX REFUND  
SCHEME LITIGATION

This document relates to case no. 18-cv-09491.

MASTER DOCKET

18-md-2865 (LAK)

**PROPOSED CONSENT JUDGMENT**

WHEREAS, on June 14, 2018, plaintiff Skatteforvaltningen ("SKAT") commenced this action against defendants KRH Farms LLC 401(K) Plan ("KRH Farms"), Bluegrass Investment Management, LLC ("BGIM"), Bernard Tew, and George Hofmeister and on April 24, 2020, SKAT filed an amended complaint against the defendants (the foregoing collectively hereinafter referred to as the "Action");

WHEREAS, SKAT and defendant BGIM now wish to resolve all the claims SKAT asserted in the Action against BGIM;

NOW THEREFORE, without trial or adjudication of issue of fact or law, and upon BGIM's consent, the Court finds that there is good and sufficient cause to enter this Consent Judgment, and that IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED THAT:

1. This Consent Judgment is hereby entered in favor of plaintiff SKAT against defendant BGIM in the amount of \$354,000 (US); and
2. Defendant BGIM shall be liable to pay the amount set forth in paragraph 1.
3. Each party shall bear its own attorneys' fees and costs.

**EXECUTION COPY**

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Consent Judgment.

Dated: New York, New York  
June 7, 2021

By: 

HUGHES HUBBARD & REED LLP  
Marc A. Weinstein  
Neil J. Oxford  
Dustin P. Smith  
One Battery Park Plaza  
New York, New York 10004-1482  
Telephone: (212) 837-6000  
Fax: (212) 422-4726  
marc.weinstein@hugheshubbard.com  
neil.oxford@hugheshubbard.com  
dustin.smith@hugheshubbard.com

*Counsel for Plaintiff Skatteforvaltningen  
(Customs and Tax Administration of the  
Kingdom of Denmark)*

By: \_\_\_\_\_

SEWARD & KISSEL LLP  
Mark J. Hyland  
Thomas Ross Hooper  
One Battery Park Plaza  
New York, New York 10004  
Tel: (212) 574-1200  
Fax: (212) 480-8421  
hyland@sewkis.com  
hooper@sewkis.com

*Counsel for Bluegrass Investment  
Management, LLC*

SO ORDERED:

\_\_\_\_\_  
Lewis A. Kaplan  
United States District Judge

Dated: New York, New York  
June 7, 2021

By: \_\_\_\_\_

HUGHES HUBBARD & REED LLP  
Marc A. Weinstein  
Neil J. Oxford  
Dustin P. Smith  
One Battery Park Plaza  
New York, New York 10004-1482  
Telephone: (212) 837-6000  
Fax: (212) 422-4726  
marc.weinstein@hugheshubbard.com  
neil.oxford@hugheshubbard.com  
dustin.smith@hugheshubbard.com

*Counsel for Plaintiff Skatteforvaltningen  
(Customs and Tax Administration of the  
Kingdom of Denmark)*

By: Mark J. Hyland

SEWARD & KISSEL LLP  
Mark J. Hyland  
Thomas Ross Hooper  
One Battery Park Plaza  
New York, New York 10004  
Tel: (212) 574-1200  
Fax: (212) 480-8421  
hyland@sewkis.com  
hooper@sewkis.com

*Counsel for Bluegrass Investment  
Management, LLC*

SO ORDERED:

                      
Lewis A. Kaplan  
United States District Judge

3/29/22